



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

AUG 30 2012

URGENT LEGAL MATTER: PROMPT REPLY REQUESTED
VIA CERTIFIED MAIL#70102780000243552419

Mr. Bruce E. Martin, Vice President, Operations
Texas Brine Company, LLC
4800 San Felipe
Houston, Texas 77056

Dear Sir:

The United States Environmental Protection Agency ("EPA") is contacting the Texas Brine Company (TBC) regarding activities connected with the Bayou Corne Gas Emissions and Sinkhole Site ("the Site") located in Napoleonville, Louisiana. The EPA is contacting the potentially responsible parties ("PRPs") at this Site to notify you that you may be responsible for conducting a removal response action and paying EPA oversight costs at this Site under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), commonly known as the Federal Superfund law.

Under Section 107(a) of CERCLA, PRPs may be held liable for all costs incurred by the EPA (including interest) in responding to any release or threatened release of hazardous substances at the Site, unless the PRP can show divisibility or any of the statutory defenses. PRPs include current and former owners and operators of the Site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the Site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Based upon the risks presented by the release and/or threat of a release of hazardous substances at the Site, the Superfund Division Director verbally authorized a removal response action assessment on August 21, 2012. The removal response action includes air monitoring; evaluation, assessment, and reporting at the Texas Brine Company brine mining facility, the abandoned brine mining cavern, and brine mining well system as long as well drilling operations are conducted at the Site.

Enclosed is a draft Administrative Settlement Agreement and Order on Consent (AOC) for the Removal response action. The EPA invites you to negotiate the terms of the enclosed draft of the AOC. Please contact the legal counsel listed below within five (5) days to commence discussions concerning the enclosed AOC. The EPA desires to commence and conclude negotiations in a prompt and efficient manner.

If you have any questions regarding this notice letter, contact Lance Nixon at (214) 665-2203. For legal questions concerning this notice, please contact Mr. George Malone, Attorney, at (214) 665-8030. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lance Nixon', with a stylized flourish extending to the right.

Lance Nixon
Enforcement Officer
Technical and Enforcement Branch

Enclosures (1)